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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 REX CHAPPELL,) Case No.: 2:01-CV-01979-KJN P
11)
12 Plaintiff,) **STIPULATION AND [PROPOSED]**
13 vs.) **ORDER TO CONTINUE DISCOVERY**
14)
15 SAMUEL BESS, M.D. QUIST, et al.,)
16 Defendants.)
_____)

17 WHEREAS, the Court has ordered Defendants M.D. QUIST and SAM BESS complete
18 discovery by August 31, 2010 and file motion(s) to compel, if necessary, by August 2, 2010;

19 WHEREAS, Plaintiff REX CHAPPELL was in a jury trial in Case No. 02-2299 GEB
20 GGH P for several days in July 2010 and transported between prison institutions for that trial;

21 WHEREAS, Defendant CHERYL PLILER filed an answer on June 24, 2010;

22 WHEREAS, the Court ordered Defendant PLILER complete discovery by September 30,
23 2010 and file any motion(s) to compel by September 3, 2010;

24 WHEREAS, IT IS STIPULATED between the parties due to, in part, Plaintiff's
25 unavailability in July 2010, Defendants M.D. QUIST and SAM BESS have until September 30,
26 2010 to conduct discovery and until September 3, 2010 to file motions to compel. The parties
27 also stipulate that Plaintiff shall be able to conduct discovery with Defendants QUIST and BESS
28 and file any motions to compel according to the same deadlines. This stipulation does not

1 request a change to the current discovery deadlines with respect to Defendant CHERYL
2 PLILER.

3 Dated: July 29, 2010

LIBERSON & WOLFORD, LLP

4 */s/ Philip G. Allingham*
5 (via e-mail authorization)

By: _____

6 JOEL K. LIBERSON
7 PHILIP G. ALLINGHAM
8 Attorneys for Plaintiff

9 Dated: July 29, 2010

MORENO & RIVERA

11 */s/ Jesse M. Rivera*
12 (via e-mail authorization)

By: _____

13 JESSE M. RIVERA
14 Attorneys for Defendant, SAM BESS

15 Dated: July 29, 2010

EDMUND G. BROWN, JR.
Attorney General of California
TRACY S. HENDRICKSON
Supervising Deputy Attorney General

18 */s/ James E. Flynn*
19 (via e-mail authorization)

By: _____

20 JAMES E. FLYNN
21 Deputy Attorney General
22 Attorneys for Defendant, PLILER

23 Dated: July 29, 2010

ANGELO, KILDAY & KILDUFF

24 */s/ Susan A. DeNardo*

By: _____

25 SUSAN A. DeNARDO
26 Attorneys for Defendant, M.D. QUIST

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ORDER

GOOD CAUSE APPEARING therefor, it is ordered that discovery between Defendants M.D. QUIST, SAM BESS, and Plaintiff shall close on September 30, 2010. Any motions necessary to compel discovery between these three parties shall be filed on or before September 3, 2010. This order does not change the current identical discovery deadlines set with respect to Defendant CHERYL PLILER.

DATED: August 2, 2010

/s/ Kendall J. Newman
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE